

110TH CONGRESS
2D SESSION

S. 2840

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2008

Referred to the Committee on the Judiciary

AN ACT

To establish a liaison with the Federal Bureau of Investigation in United States Citizenship and Immigration Services to expedite naturalization applications filed by members of the Armed Forces and to establish a deadline for processing such applications.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Personnel
 5 Citizenship Processing Act”.

6 **SEC. 2. OFFICE OF THE FBI LIAISON.**

7 (a) ESTABLISHMENT.—Section 451 of the Homeland
 8 Security Act of 2002 (6 U.S.C. 271) is amended by adding
 9 at the end the following:

10 “(g) OFFICE OF THE FBI LIAISON.—

11 “(1) IN GENERAL.—There shall be an Office of
 12 the FBI Liaison in the Department of Homeland
 13 Security.

14 “(2) FUNCTIONS.—The Office of the FBI Liai-
 15 son shall monitor the progress of the functions of
 16 the Federal Bureau of Investigation in the natu-
 17 ralization process to assist in the expeditious comple-
 18 tion of all such functions pertaining to naturaliza-
 19 tion applications filed by, or on behalf of—

20 “(A) current or former members of the
 21 Armed Forces under section 328 or 329 of the
 22 Immigration and Nationality Act (8 U.S.C.
 23 1439 and 1440);

24 “(B) current spouses of United States citi-
 25 zens who are currently serving on active duty in

1 the Armed Forces, who qualify for naturaliza-
2 tion under section 319(b) of the Immigration
3 and Nationality Act (8 U.S.C. 1430(b)), and
4 surviving spouses and children who qualify for
5 naturalization under section 319(d) of such Act;
6 or

7 “(C) a deceased individual who is eligible
8 for posthumous citizenship under section 329A
9 of the Immigration and Nationality Act (8
10 U.S.C. 1440–1).

11 “(3) AUTHORIZATION OF APPROPRIATIONS.—

12 There are authorized to be appropriated such sums
13 as may be necessary to carry out this subsection.”.

14 (b) RULEMAKING.—Not later than 180 days after the
15 date of the enactment of this Act, the Secretary of Home-
16 land Security, in consultation with the Attorney General,
17 shall promulgate rules to carry out the amendment made
18 by subsection (a).

1 **SEC. 3. DEADLINE FOR PROCESSING AND ADJUDICATING**
2 **NATURALIZATION APPLICATIONS FILED BY**
3 **CURRENT OR FORMER MEMBERS OF THE**
4 **ARMED FORCES AND THEIR SPOUSES AND**
5 **CHILDREN.**

6 (a) IN GENERAL.—Section 328 of the Immigration
7 and Nationality Act (8 U.S.C. 1439) is amended by add-
8 ing at the end the following:

9 “(g) Not later than 6 months after receiving an appli-
10 cation for naturalization filed by a current member of the
11 Armed Forces under subsection (a), section 329(a), or sec-
12 tion 329A, by the spouse of such member under section
13 319(b), or by a surviving spouse or child under section
14 319(d), United States Citizenship and Immigration Serv-
15 ices shall—

16 “(1) process and adjudicate the application, in-
17 cluding completing all required background checks
18 to the satisfaction of the Secretary of Homeland Se-
19 curity ; or

20 “(2) provide the applicant with—

21 “(A) an explanation for its inability to
22 meet the processing and adjudication deadline
23 under this subsection; and

24 “(B) an estimate of the date by which the
25 application will be processed and adjudicated.

1 “(h) The Director of United States Citizenship and
2 Immigration Services shall submit an annual report to the
3 Subcommittee on Immigration, Border Security, and Ref-
4 ugees and the Subcommittee on Homeland Security of the
5 Senate and the Subcommittee on Immigration, Citizen-
6 ship, Refugees, Border Security, and International Law
7 and the Subcommittee on Homeland Security of the
8 House of Representatives that identifies every application
9 filed under subsection (a), subsection (b) or (d) of section
10 319, section 329(a), or section 329A that is not processed
11 and adjudicated within 1 year after it was filed due to
12 delays in conducting required background checks.”.

13 (b) GAO REPORT.—Not later than 180 days after
14 the date of the enactment of this Act, the Comptroller
15 General shall submit a report to Congress that contains
16 the results of a study regarding the average length of time
17 taken by United States Citizenship and Immigration Serv-
18 ices to process and adjudicate applications for naturaliza-
19 tion filed by members of the Armed Forces, deceased
20 members of the Armed Forces, and their spouses and chil-
21 dren.

1 **SEC. 4. SUNSET PROVISION.**

2 This Act and the amendments made by this Act are
3 repealed on the date that is 5 years after the date of the
4 enactment of this Act.

 Passed the Senate September 24 (legislative day,
September 17), 2008.

Attest:

NANCY ERICKSON,
Secretary.